

# Notice of Allowability

Application No.

09/917,198

Examiner

LaShonda T. Jacobs

Applicant(s)

GUNASEELAN ET AL.

Art Unit

2157

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to February 22, 2007.
2. ☒ The allowed claim(s) is/are 2-11, 13-21, 24, 25, 27, 28, 42-49 and 51-56.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
SUPERVISOR, PATENT EXAMINER  
TECHNOLOGY CENTER

### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Ananian Reg. No. 35,050 on March 14, 2007.

### **IN THE CLAIMS**

Please cancel claim **50** without prejudice.

Please amend claims **27, 28, 42, 46** and **50** as follows:

27. (Currently Amended) A delivery system for use in a client server computer architecture in which the server provides streaming media assets to at least one client over a computer network, wherein the media assets can have a plurality of data formats, comprising:

a packet producer that acquires at least one streaming media asset in packetized form and places time stamps on the packets, each time stamp specifying a delivery time for its respective packet, wherein the packet producer adjusts the delivery time of at least one time stamp in accordance with a value indicating a pre read size capability of a receiving client;

a time stamp packet queue containing the packets with time stamps in a first in, first out order;

a feeder module that removes packets from the time stamp packet queue and transmits the removed packets to a client via the computer network, the transmission for each packet concluded at least by the specified delivery time in each packet;

wherein the feeder module further operative to control the admission of streaming media assets into the feeder that are to be delivered to a client, the control of admission and comprising defining a time window in terms of a first duration of time;

computing a number of bytes that need to be delivered during the time window, the bytes comprising a first streaming media asset;

translating the computed number of bytes into a first time to process value for the first streaming media asset; and

admitting for delivery the first streaming media asset if the first time to process value is smaller than the time window.

28. (Currently Amended) The delivery system of Claim 27, wherein the control of admission further comprising ~~the steps of~~:

computing a number of bytes that need to be delivered during the time window, the bytes comprising at least one additional streaming media asset;

translating the computed number of bytes into at least one additional time to process value for the at least one additional streaming media asset;

adding the at least one additional time to process value to the first time to process value;  
and

Art Unit: 2157

42. (Currently Amended) The method for delivering the streaming media assets in Claim [[41]] 51, further comprising: resolving delivery conflicts between at least two streaming media assets delivered simultaneously by the server to at least one client, wherein the at least one client has a pre read size value that indicates a capability of the client to pre read data, the streaming media assets comprising data packets having delivery time stamps.

46. (Currently Amended) The method for delivering the streaming media assets of Claim [[41]] 51, further comprising: resolving delivery conflicts between at least two streaming media assets delivered simultaneously by the server to at least one client, wherein the at least one client has a max buffer size value that indicates a capability of the client to accept delayed data, the streaming media assets comprising data packets having delivery time stamps.

50. (Currently Amended) The method for delivering the streaming media assets of Claim [[41]] 50, further comprising: controlling the admission of streaming media assets into the time stamp packet queue that are to be delivered to a client.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 571-272-4004. The examiner can normally be reached on 8:30 A.M.-5:00 P.M..

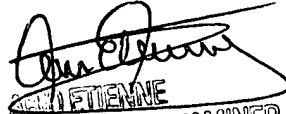
Art Unit: 2157

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LaShonda T Jacobs  
Examiner  
Art Unit 2157

ltj  
March 14, 2007

  
ARIO ETIENNE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100